



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q61152

CLARK, SUSAN J., et al.

Appln. No.: 09/673,448

Group Art Unit: 1634

Confirmation No.: 5339

Examiner: Goldberg, J.

Filed: November 27, 2000

For: ASSAY FOR METHYLATION IN THE GST-PI GENE

SUBMISSION OF EXECUTED DECLARATION 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find the attached executed declaration under 37 CFR §1.132, explaining an unintentional error in the declaration filed January 1, 2005.

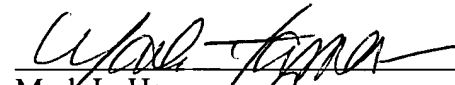
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

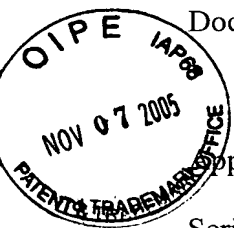
WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Mark L. Hayman
Registration No. 51,793

Date: November 7, 2005



Docket No.:

IN THE UNITED STATES PATENTS AND TRADE MARK OFFICE

Applicant: Susan J Clark *et al.*
Serial number: 09/673,448
Filing date: November 27, 2000
Title: Assay for Methylation of GST-Pi gene
Examiner: Jeanine Goldberg
Group Art Unit: 1634

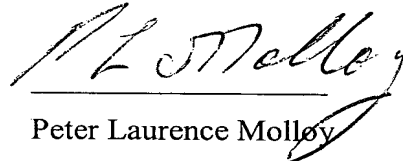
DECLARATION UNDER 37 C.F.R. 1.132

I, Peter Laurence Molloy of 41 Bellevue St, Chatswood, NSW 2067, Australia, declare that:

1. I am the same Peter Laurence Molloy who made the Declaration under 37 CFR 1.132 dated 21 December 2004 ("my previous Declaration") in the above matter
2. At paragraph 24 of my previous Declaration, I cited a passage which I identified as being taken from Herman *et al.* However, in the Office Action mailed 20 April 2005, the Examiner, at page 13 of the Office Action, indicated that she has reviewed Herman and Lee and could not identify the citation I provided at paragraph 24.
3. The Examiner's comments caused me to revisit my previous Declaration and I found that the Examiner was indeed correct. I had mistakenly attributed the passage to Herman *et al.* when in fact the passage was taken from US Patent No. 5,552,277 (Nelson *et al.*), a copy of which is attached as Annexure A. The quoted passage appears at column 12, lines 27 to 33 of Nelson *et al.* I regret any inconvenience this may have caused.
4. I declare that the incorrect identification of the source of the quoted passage in my previous Declaration was unintentional.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 19 of the United States Code, and that such wilful false statements may jeopardise the validity of this application or any patent issuing therefrom,

Dated this 18th day of October 2005.


Peter Laurence Molloy